

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION**

JOSEPH CHANDLER DAVALL,

Petitioner,

v.

WARREN MONTGOMERY,

Respondent.

No. CV 18-07252-DSF (DFM)

Order Accepting Report and
Recommendation of United States
Magistrate Judge

Under 28 U.S.C. § 636, the Court has reviewed the Petition, the other relevant records on file herein, and the Report and Recommendation of the United States Magistrate Judge. No objections to the Report and Recommendation were filed, and the deadline for filing objections has passed. The Court accepts the report, findings, and recommendations of the Magistrate Judge.

IT IS THEREFORE ORDERED that Petitioner's Motion to Amend is granted as to Grounds One through Seven of the First Amended Petition and denied as to Ground Eight. This leaves Grounds One through Seven as the operative habeas petition.

IT IS FURTHER ORDERED that Respondent file an Answer to the First Amended Petition with forty-five (45) days of service of this order. Petitioner may file a Reply within thirty (30) days of service of the Answer.

Date: April 6, 2021



Dale S. Fischer
United States District Judge